

REMARKS

Applicants thank Examiner O’Hern for the analysis contained in the Office Action dated October 12, 2007, and for the opportunity to respond to the Examiner’s concerns.

Claim Rejection Under 35 U.S.C. § 103

Claims 1-10 currently stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rue (U.S. Patent No. 6,048,129). Applicants respectfully traverse this objection.

Teachings of Rue

Rue teaches impaling used tires on tie rods 16, then maintaining a compressive force on the used tires by attaching a rigidifying plate 14, which is secured using nuts 17 threaded onto the tie rods 16.

Rubber Slab

The term “slab” used in Claim 1 was not intended to encompass the plurality of impaled tires taught by Rue. For clarity, applicants have amended Claim 1, so it now refers to “a unitary rubber slab.”

Wire grid

In the Office Action, the Examiner identified elements 14 and 16 in Rue as teaching a wire grid. Rue identifies element 16 as a tie rod, and element 14 as a rigidifying plate. The wording of Claim 1 calls for “a plurality of parallel spaced wires extending between the opposed side edges for most of the width of the rubber slab and a plurality of parallel spaced wires extending between the opposed end edges for most of the length of the rubber slab.” Applicants respectfully submit that the tie rods cannot properly be considered as “wire.” It is further respectfully submitted that the plates should most certainly not be considered wire.

Applicants respectfully refer the Examiner to page 3, line 20 of the specification as filed, where applicants state that the rubber access mats have “some rigidity while retaining sufficient

flexibility and memory to conform to uneven terrain.” These access mats permit conformity to uneven terrain along both the length and width of the mat. By contrast, the rigidifying plates 16 taught by Rue make it impossible to conform along the width of the mat, and it is unlikely that the number of tie rods, and the size of the tie rods taught by Rue, combined with the strength imparted by the compressive force applied by the plates 16 compressed, would permit much, if any, conformity along the length.

For clarity, applicants have amended Claim 1 to specify that the rubber slab is “flexible” and further that the gauge of the reinforcing wire provides “sufficient rigidity while retaining sufficient flexibility to conform to uneven terrain.” One skilled in the art will understand that a degree of rigidity provided by at least ten gauge wire is required, while maintaining flexibility to conform to uneven terrain.

In light of the above arguments, applicants submit that Rue does not teach or suggest all of the elements of Claim 1 and thus Claim 1 is patentable over Rue. Since Claims 2-10 depend directly or indirectly on Claim 1, applicant submits that these claims are also patentable over Rue.

CONCLUSION

It is respectfully submitted that the present application is now in condition for allowance. Applicants, therefore, request the early issuance of a Notice of Allowance.

Respectfully submitted,

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